

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KERRY LANGSTAFF, et al

Appellants,

v.

ALLEN A. MITCHELL, M.D.,
SAMUEL M. LESKO, M.D., and
TRUSTEES OF BOSTON UNIVERSITY

Appellees.

§ Civil Action No. 04-CV-11586-GAO
§ Formerly No. 04-MBD-10128-GAO
§ and No. 04-MBD-10137-GAO

§
§ Related Civil Action:
§ United States District Court for the
§ Northern District of California, San
§ Jose Division
§ Civil Action No. 03-CV-01116
§ KERRY LANGSTAFF, et al vs.
§ MCNEIL CONSUMER &
§ SPECIALITY
§ PHARMACEUTICALS, et al
§
§

NOTICE OF APPEAL

TO THE HONORABLE COURT:

FILING FEE PAID:

RECEIPT # 58298

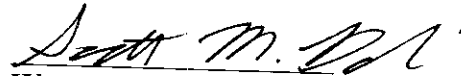
AMOUNT \$ 255.00

BY DPTY CLK [Signature]

DATE 8/30/04

COME NOW, Appellants, Kerry Langstaff and Bradshaw Langstaff, Individually and on behalf of Kaitlyn Sierra Langstaff, a minor child, by and through their attorney of record, and files this Notice of Appeal in the above named matter. Appellants make this appeal under 28 U.S.C. § 1291, 28 U.S.C. § 1294 and the Federal Rules of Appellate Procedure 3 and 4. Appellants hereby appeal to the United States Court of Appeals for the First Circuit from the Order of the District Court denying Appellants Motion for Reconsideration entered in this action on the 30th day of July, 2004.

Respectfully submitted,



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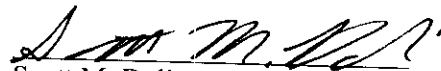
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ATTORNEYS FOR APPELLANTS

CERTIFICATE OF SERVICE

I certify that the foregoing Notice of Appeal was served on counsel for Allen A. Mitchell, M.D., Samuel M. Lesko, M.D., and Trustees of Boston University ("Appellees") via Federal Express and facsimile on this 27th day of August, 2004.


Scott M. Dolin

Counsel for Allen A. Mitchell, M.D., Samuel M. Lesko, M.D., and Trustees of Boston University:

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